



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
PATRICIA ROCHE, RN	:	
License No. 26NO04796600	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Patricia Roche ("Respondent") is licensed as a registered professional nurse in the State of New Jersey and has been a licensee at all relevant times.

2. The Board received information indicating that Respondent was terminated from her employment with the Visiting Nurse Association of Somerset Hills on February 17, 2011 for incompetency which related adversely to patient care and safety.

3. On or about August 31, 2011, the Board sent Respondent a Demand for Written Statement Under Oath to her mailing address

in Basking Ridge, New Jersey via regular and certified mail seeking information about the 2011 termination. The Demand reminded respondent of her statutory and regulatory duty to cooperate with a Board investigation. The regular mailing was not returned, however, the certified mailing was returned as unclaimed.

4. On or about October 11, 2011, the Board sent Respondent a second notice to her mailing address in Basking Ridge, New Jersey via regular and certified mail seeking information about the 2011 termination. The second notice advised that failure to respond may result in suspension of Respondent's license and imposition of penalties. Again, the regular mailing was not returned, but the certified mailing was returned as unclaimed.

5. To date, Respondent has failed to reply.

CONCLUSIONS OF LAW

Respondent's failures to respond to the Board's inquiries constitute failures to cooperate with Board investigations, in contravention of N.J.A.C. 13:45C-1.2 - 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and thus subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice nursing in the State of New Jersey and imposing a two hundred dollar (\$200) civil penalty was entered on April 18, 2012. Copies were forwarded to Respondent's last known mailing address in Basking Ridge, as well as her last known address of record in Madison, by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Although the Provisional Orders sent to both addresses by means of certified mail were returned as unclaimed, the regular mailings were not returned. Because the Order was forwarded to Respondent's address of record, the Board deems service to have been effected pursuant to N.J.A.C. 13:37-5.7. Accordingly, it determined that further proceedings were not necessary and that

the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 27th day of June, 2012,

ORDERED that:

1. Respondent's license to practice nursing is hereby suspended until such time as Respondent fully cooperates with the Board's investigations by providing the Board with the information requested in the letters dated August 30, 2011 and October 11, 2011 regarding the 2011 termination.

2. A civil penalty in the amount of two hundred dollars (\$200.00) is hereby imposed upon Respondent for the failure to cooperate. Payment shall be made by certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent shall refrain from practicing nursing and shall not represent herself as a registered professional nurse until such time as her license is reinstated. Any practice in

this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

4. Nothing herein precludes the Board from undertaking disciplinary action regarding the underlying conduct that gave rise to the investigation.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*
Patricia Murphy, PhD, APN
Board President